

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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MICHIGAN GLASS AND GLAZING INDUSTRY  
DEFINED CONTRIBUTION PENSION PLAN,  
et al.,

Plaintiffs,

v.

Case No. 06-CV-13087

YPSILANTI ACME GLASS AND PAINT  
COMPANY, d/b/a ACME GLASS & PAINT  
COMPANY, d/b/a MICHIGAN GLASS COMPANY,

Defendant.

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**ORDER FOR EXAMINATION OF JUDGMENT DEBTOR**

THIS MATTER having come before this Court on Plaintiffs' Motion for Examination of Judgment Debtor and Restraining Transfer of Certain Property Supplementary to Judgment, and said motion having been duly filed along with a supporting Affidavit and Brief, and the Court having reviewed the same and being fully advised in the premises;

IT IS HEREBY ORDERED that Elyse McDonald, officer and director of Ypsilanti Acme Glass and Paint Company, d/b/a Acme Glass & Paint Company, d/b/a Michigan Glass Company ("Defendant"), whose address is 93 Emerick, Ypsilanti, Michigan 48198, appear at the law offices of Erman, Teicher, Miller, Zucker & Freedman, P.C., 400 Galleria Officentre, Suite 444, Southfield, Michigan 48034, on **Wednesday, December 12, 2007 at 10:30 a.m.**, to be examined under oath concerning the income, property, or other means of satisfying the Judgment entered herein against Defendant on July 10, 2007.

IT IS FURTHER ORDERED that said person shall bring with her the following books,

records, and papers in her possession, custody or control as they relate to Defendant:

1. All checkbooks, check registers, check stubs, canceled checks, bank statements and other documents whatsoever relating to any deposit, savings, passbook or like account maintained with a bank, savings and loan association, credit union or like organization, in which Defendant has, or has had, any interest, at any time during the three (3) years immediately preceding the date hereof, or date of cessation of business, whichever is earlier;

2. Copies of all returns, schedules and forms filed by, or on behalf of, Defendant with the Internal Revenue Service, State of Michigan, and any municipal governments, relating to any income received, property owned, business activities, sale or intangibles tax, of Defendant at any and all times during the period three (3) years preceding the date hereof or date of cessation of business, whichever is earlier;

3. All books of account and accounts receivable ledgers;

4. List of assets and liabilities;

5. All contracts of purchase, sale, bills of sale, certificates of title and deeds, and all other evidences of title or instruments of whatsoever kind or nature, relating to the purchase, sale or ownership of any property, real or personal, or any interest therein, purchased, sold or owned by, or on behalf of, Defendant at any time during the five (5) years immediately preceding the date hereof or date of cessation of business, whichever is earlier;

6. Copies of all profit and loss statements and balance sheets relating to the affairs of Defendant prepared by, or on behalf of, said Defendant during the period three (3) years immediately preceding the date hereof or date of cessation of business, whichever is earlier.

7. All employee payroll records from June 2006 to current date evidencing employee earnings histories on a job-by-job basis, including, but not limited to, paychecks and/or canceled paycheck stubs, IRS Form W-2's, W-3's, and 091's, and MESC contribution reports.

8. A list of all construction projects completed, or in process, since June 2006 to the current date, including therein all contract balances due to Defendant and identification of the general contractor or customer of Defendant.

9. All construction project payment bonds on all public projects undertaken or in process by Defendant from June 2006 to the current date, together with itemized employee earnings records on all such public projects identified.

10. All employee earnings records evidencing hours worked from June 2006 to the current date, including, but not limited to, employee earnings registers, payroll records, canceled paychecks, time cards, IRS Form W-2, W-3 and 1099's, MESC contribution reports, and all further records which confirm employee earnings history from June 2006 to date.

11. All employee earnings histories on an itemized job-by-job basis evidencing employee hours by job from June 2006 to date.

S/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: November 14, 2007

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, November 14, 2007, by electronic and/or ordinary mail.

S/Lisa Wagner

Case Manager and Deputy Clerk  
(313) 234-5522